

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

VICHETH RATH
REG. #12157-078

PETITIONER

V.

NO. 2:08cv00066 JMM

T.C. OUTLAW, Warden,
FCI, Forrest City, AR


RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Respondent's motion to dismiss (doc. 9) is hereby granted, thereby denying this 28 U.S.C. § 2241 petition for writ of habeas corpus and dismissing this case in its entirety without prejudice to Petitioner's right to present his claims in his pending § 2255 proceeding or pursue any still existing channels to challenge his prior Texas state conviction. All pending motions are denied as moot. Judgment shall be entered accordingly.

IT IS SO ORDERED this 22nd day of July, 2008.


UNITED STATES DISTRICT JUDGE

